

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Art Unit: 1615

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit a Supplemental Information Disclosure Statement, including one (1) page of Form PTO-1449, copies of the seven (7) documents cited therein, a copy of the European Supplementary Search Report, mailed December 4, 2006, in the corresponding EP application 03809613.7, a copy of the European Supplementary Search Report, mailed December 15, 2006, in the related EP application 03809957.8, and a copy of a translation of cited Japanese Publication No. 2003-277252 obtained from the Japanese Patent Office website.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(c) after a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-1329.

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DISCLOSURE STATEMENT

**Certification Under 37 C.F.R. §1.97 (e)(1)**

Each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

**Foreign Documents**

<u>Number</u>	<u>Publication Date</u>	<u>Patentee</u>	<u>Country</u>
0 759 299	02-26-1997	Eli Lilly Co.	EP
2003 277252	10-02-2003	Asahi Chemical Corp.	JP
WO 99/059593	11-25-1999	Eli Lilly Co.	PCT
WO 00/040224	07-13-2000	Elan Corp PLC	PCT
WO 04/037190	05-06-2004	Collegium Pharmaceutical, Inc.	PCT
WO 04/039361	05-13-2004	Collegium Pharmaceutical, Inc.	PCT
WO 04/067039	08-12-2004	Collegium Pharmaceutical, Inc.	PCT

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### **Remarks**

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

/Patrea L. Pabst/

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